

GLOBAL HEALTH LAW INTEREST GROUP NEWSLETTER

Dear GHLIG members,

Welcome to our second quarterly newsletter. We are delighted to share what the IG and our members have been up to over the past few months:

I. GHLIG'S INAUGURAL BUSINESS MEETING ON "UPDATES FROM THE FIELD"

The IG had a successful inaugural business at ASIL AM 2024! We thank all those who joined for the meeting (in person and online), and much gratitude goes out to our panel speakers who shared their "updates from the field" in global health law and covered impressive ground – from the pandemic treaty to WHO's role in climate litigation before the World Court – in 60 minutes!

Thank you for joining us and sharing your expertise with the IG Emily Bleimund, Oscar Cabrera, Nicole Foster, Sam Halabi, Alexandra Phelan and Matiangai Sirleaf!

II. CALL FOR SUBMISSIONS – GLOBAL HEALTH LAW STUDENT WRITING COMPETITION

The IG is excited to announce the establishment of an annual Student Writing Competition. This competition aims to foster insightful and impactful discussions among students globally on crucial health law topics that have international significance. Starting in 2024, the GHLIG will award annually a Prize to the author(s) of an unpublished paper that a Selection Committee considers to be outstanding in the field of global health law.

Eligibility

The competition is open to any individual enrolled in an undergraduate or graduate program in any country. To be eligible, a paper must be written in the academic year 2023-2024. Please note that jointly authored papers are not eligible. Membership in ASIL is not required.

Topics

The paper must address a significant issue within the sphere of health law that has an international dimension. We encourage diverse methodological approaches, including qualitative and quantitative methods. This can include, but is not limited to:

- Development and global distribution of vaccines and medicines
- Pandemic preparedness and global response mechanisms
- Legal and ethical considerations in global health emergencies
- Strengthening international healthcare systems

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Global Health Law Interest Group

CO-CHAIRS

Roojin Habibi
&
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Views contained in this publication are those of the authors in their personal capacity. The American Society of International Law and this Interest Group do not generally take positions on substantive issues, including those addressed in this periodical.



Call for Submissions – Global Health Law Student Writing Competition —*continued from page 1*

- Health promotion policies, including diet-related policies, tobacco and alcohol prevention, drug policy, environmental health, and mental health
- Cross-border health data privacy and security
- International regulatory frameworks for healthcare technologies and telemedicine
- Health equity and access to healthcare on a global scale
- Gender and global health law
- Racism and global health law

Selection Committee

The Selection Committee will consist of individuals drawn from private practice, academia, and/or government, who possess expertise in the fields covered by the Prize. The composition of the Selection Committee will comply with ASIL's diversity policies.

Criteria

In assessing the papers, the Selection Committee will take into account the following criteria: 1) originality; 2) depth of research; 3) sophistication of the analysis; 4) potential to have an impact in the field.

Prize

The Prize will consist of a certificate of recognition, to be awarded at the ASIL Annual Meeting, and a complementary ASIL membership for one year. Additionally, the winning student will be assigned a mentor from the Selection Committee. This mentor will assist in further developing the paper and exploring publication opportunities in the *Journal of Global Health Law* or in another appropriate outlet.

Submission Guidelines

Papers must be original, unpublished work. They should be between 5000 and 8000 words, in English, double-spaced, and follow a recognized academic citation style. They must be anonymized.

Entries must be submitted electronically by June 1 at this link: <https://forms.gle/2LrG8sQMaDqZKOec8>

III. SAVE THE DATE – UPCOMING IG EVENTS

Global Health Security Conference – GHLIG Side Event (June 2024)

The Global Health Security Conference brings together a range of stakeholders, including practitioners, researchers and decision-makers across the fields of public health, medicine, veterinary science, agriculture, government, defence, international relations, sociology and anthropology, to examine the progress made to date in strengthening health systems and identify the gaps and opportunities for enhancing the international community's ability to respond more efficiently and effectively to future adverse health crises.

This year, the GHS Conference is taking place at the International Convention Centre in Sydney, Australia from 18 to 21 June 2024. The GHLIG is proud to host a side event on the margins of the GHS Conference. Join us in Sydney on **Monday, 17 June 2024** as we take stock of global efforts to strengthen law, human rights and ethics for pandemics and public health emergencies (NOTE: Event time is 9am to 5pm in Sydney - GMT+11).

Register today via registration@ghsconf.com. For more information, visit <https://www.ghsconf.com/side-events/#>

IV. FIELD UPDATES FROM OUR MEMBERS

Database Spotlight: Tobacco Control Laws and the Right to Health Policy Hub

By: Deniece A. Carrington, J.D., LL.M
Senior Legal Advisor, International Legal Consortium, Campaign For Tobacco-Free Kids

The Campaign for Tobacco-Free Kids' International Legal Consortium (ILC) is a specialist team of lawyers providing legislative, litigation, and advocacy support to civil society and government lawyers and advocates in low - and middle-income countries to further the effective implementation of the WHO *Framework Convention on Tobacco Control* (WHO FCTC). Part of the ILC's work also includes developing legal resources, and we are excited to share two of these resources here.

The ILC launched Tobacco Control Laws in Spring 2011 and the database provides an in-depth analysis of legislation and litigation relating to tobacco control. Some highlights include:

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- Laws from 213 countries/jurisdictions
- Analysis of legislation from 137 countries/jurisdictions as it relates to alignment with the WHO FCTC
- 1,131 tobacco control judicial decisions
- Listing of current major litigation victories relating to tobacco control

Also, in February 2024, during a side event at the Tenth Session of the Conference of Parties to the WHO FCTC, the ILC and the Global Health Advocacy Incubator (GHA) launched the Right to Health Policy Hub. As highlighted in a GHA press release, the Right to Health Policy Hub is a database of recommendations issued by international human rights bodies that support the advancement of public health policies related to tobacco control and food and nutrition. The materials include:

- Topic-specific general comments issued by human rights treaty bodies.
- Country-specific reports (concluding observations) issued by treaty bodies detailing areas of concern and recommendations for countries.
- Statements, thematic reports and other documents from UN Special Rapporteurs.

The ILC invites you to visit these resources to assist with your legal research needs.

COP10 Adopts Key Decisions to Further Implement the WHO FCTC

**By: Monique Muggli, J.D., M.P.H.
Vice President, International Legal Consortium, Campaign For Tobacco-Free Kids**

The tenth session of the Conference of the Parties (COP10) to the WHO Framework Convention on Tobacco Control (WHO FCTC) held a virtual session in November 2023 and resumed in person in Panama City on February 5-10, 2024. The Campaign for Tobacco-Free Kids (CTFK) has NGO observer status to the COP and sent a delegation to COP10. CTFK is also a member of the Global Alliance for Tobacco Control (GATC), a global network of civil society organizations working to accelerate progress on the implementation of the WHO FCTC. At COP10, GATC and its membership worked diligently to achieve policy objectives necessary to protect public health.

Article 5.3 of the WHO FCTC requires Parties to protect their public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry. However, from the first day of COP10, it was evident that a handful of Parties, aligned with the tobacco industry, were determined to delay the COP by various means, including obstructing the COP from addressing substantive matters and preventing consensus.

Despite this, several important policy decisions were adopted including:

- Decisions that established expert groups to consider and report back on specific tobacco control topics (Forward-Looking Tobacco Control Measures (in relation to Article 2.1 of the WHO FCTC and Implementation of Article 19 – Liability);
- Decisions that explored how tobacco is interconnected with human rights, including urging Parties to consider the impact of the tobacco life cycle on the environment (Implementation of Article 18 of the WHO FCTC) and encouraging Parties to integrate WHO FCTC principles when engaging with UN human rights mechanisms (Contribution of the WHO FCTC to the Promotion and Fulfilment of Human Rights); and
- A Decision and Specific guidelines to address cross-border tobacco advertising, promotion and sponsorship and the depiction of tobacco in entertainment media for implementation of Article 13 (Tobacco advertising, promotion and sponsorship) of the WHO FCTC, which will further support Parties in banning tobacco advertising, promotion and sponsorship on social media platforms and reducing tobacco depictions on streaming platforms. CTFK's press statement regarding this decision and specific Article 13 guidelines can be found [here](#).

In summary, despite the tobacco industry's efforts to delay and prevent the work of COP10, many decisions were adopted by the COP, which will be instrumental in advancing tobacco control efforts. Civil society, recognized in the Convention as being critical to WHO FCTC implementation, again played a significant role in advancing policies. The COP10 President recognized the efforts of civil society in her closing remarks. As lawyers committed to assisting governments and civil society in the effective implementation of the WHO FCTC, we look forward to a productive COP11 in 2025. ■



V. NEW PUBLICATIONS BY OUR MEMBERS

We are proud to share the following new and forthcoming publications by GHLIG Members:

Articles & Book Chapters

Planetary Health: A Global Health Emergency Under International Law? By Alexandra Phelan, *Opinio Juris*, February 2, 2024

Towards Reimagining the IHR Article 43 on Travel Restrictions by Lisa Forman & Roojin Habibi in *Pandemics, Public Health, and the Regulation of Borders*, 2024

Collective Action and Legal Mobilisation for the Right to Health in the Climate Crisis at the World Court by Alexandra Phelan, David Patterson, Farhang Tahzib, Benjamin M. Meier, Marlies Hesselman, Wang Chenguang & Lawrence Gostin, May 2024

White Health and International Law by Matiangai Sirleaf in *Race, Racism & International Law*, 2024

“Someone Call a Global Health Lawyer!”: Global Health Law as an Emerging Community of Practice by Roojin Habibi, forthcoming in *Journal of Global Health Law*, Volume 1, Issue 1

Analysing Governments’ Progress on the Right to Health by Alicia Ely Yamin, Luciano Bottini Filho & Camila Gianella Malca, *Bulletin of the World Health Organization*, 2024

From Principles to Practice: Human Rights and Public Health Emergencies Report by Alicia Ely Yamin, Timothy Fish Hodgson & Roojin Habibi, *Petrie-Flom Center*, 2024

Launch of the Journal of Global Health Law

Members of the GHLIG will soon have a new forum for publishing their research! As the first journal dedicated solely to global health law, editors of JGHL invite contributions from scholars from all over the world examining global health law, as well as its interaction with other fields, such as domestic legal systems and other forms of governance, whether they be domestic, regional or global.

Stay tuned for the launch of the inaugural issue of the *Journal of Global Health Law* in Summer 2024. For more information, visit: <https://www.elgaronline.com/view/journals/jghl/jghl-overview.xml>

Thank you for reading our May newsletter!

Want to share your latest work or next event in our next GHLIG quarterly newsletter? Email the details to the IG co-chairs, Roojin Habibi (rhabibi@uottawa.ca) and Margherita Melillo (mm4808@georgetown.edu) on or before 15 August 2024!